

### **REMARKS/ARGUMENTS**

Upon entry of the instant amendment, claims 1-5, 7-9, and 11-13 are pending. Claim 1 has been amended to more particularly point out the applicant's invention. It is respectfully submitted that the application is in condition for allowance.

### **CLAIM REJECTIONS – 35 U.S.C. §103**

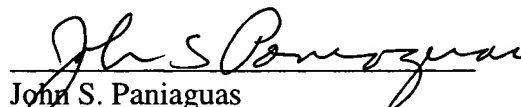
Claims 1, 7-9, and 11-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wagner et al.*, U.S. Patent No. 6,670,599 in view of *Aronson et al.*, U.S. Patent No. 6,483,862. It is respectfully submitted that either of the references either singly or in combination disclose or suggest the invention recited in the claims at issue. Moreover, it is respectfully submitted that the newly-cited *Wagner, et al.* patent merely illustrates the problem and not the solution.

By way of introduction, the invention recited in the claims at issue relates to a light-emitting semiconductor device that is integrated with a light-monitoring device. The *Wagner et al.* patent simply relates to a light-monitoring or optical detector device and does not disclose an integrated device which includes a light-monitor and a light generating device. The *Aronson et al.* device has been discussed previously. The *Aronson et al.* patent discloses an integrated device which includes a AlOx layer disposed between a light-emitting device and a photodetector. The AlOx layer disclosed in the *Aronson et al.* patent is configured to have a refractive index lower than the surrounding semiconductor. Thus, process controls must be tightly controlled in order for the photodetector to properly detect light emissions from the light-emitting device. On the other hand, the invention cited in the claims at issue does not have any intervening layers between the light-emitting semiconductor and the photodetector. Thus, the need for complicated and expensive process controls are totally eliminated in the present invention. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of these claims.

Claims 3-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable under the *Wagner et al.* patent in view of *Aronson et al.* and further in view of *Jiang et al.*, U.S. Patent No. 5,719,893. Claims 3-5 are dependent claims. The *Wagner et al.* and *Aronson et al.* patents have been discussed above. The *Jiang et al.* patent does not disclose a light-monitoring device formed on top of a passivation layer. Indeed, the *Jiang et al.* patent requires relatively complex and precise processing required to pass the light frequency of the emitted light from the semiconductor device similar to the *Aronson et al.* patent. For these reasons and the reasons above, the Examiner is respectfully requested to reconsider and withdraw the rejection of these claims.

Respectfully submitted,

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